

REMARKS

Claim Status

Claims 1–64 are pending in the instant application. With this amendment, claims 1, 14, 27, 41 and 46 have been amended to ensure correct antecedent basis for claim terms/phrases. No new matter is added by the amendment of the claims. Accordingly, entry into the instant application is proper and respectfully requested.

Double Patenting

Claims 1–64 are rejected on the ground of nonstatutory obviousness-type double patenting as being allegedly unpatentable over claims 1–36 of U.S. Patent 7,142,987. Applicant will file a terminal disclaimer in compliance with 37 CFR 1.321(c) once the claims of the present application are indicated as allowable, but for the double patenting issue.

Further, claims 1–64 are rejected on the ground of nonstatutory obviousness-type double patenting as being allegedly unpatentable over claims 1–40 and 58–69 of copending Application No. 10/007,355; claims 1–64 and 86–117 of copending Application No. 10/150,771; and claims 1–2, 4–11, 13–16, 35–42 and 44–51 of copending Application No. 10/252,352. Applicant submits that Application Nos. 10/007,355, 10/150,771 and 10/252,352 are still pending, thereby making these rejections provisional double patenting rejections. As such, Applicant is under no obligation to respond to the provisional double patenting rejections at this time.

Rejections Under 35 U.S.C. § 112, second paragraph

Claims 1–64 are rejected under 35 U.S.C. § 112 second paragraph as being allegedly indefinite.

Applicant submits that the amendments to claims 1, 14, 27, 41 and 46 make claims 1–64 definite. Accordingly, Applicant respectfully requests that the rejection under 35 U.S.C. § 112, second paragraph be withdrawn.

CONCLUSION

In light of the above amendments and remarks, Applicant respectfully submits that claims 1-64 satisfy all the criteria for patentability and are in condition for allowance. Applicant requests that the Examiner reconsider this application with a view towards allowance and solicit an early passage of claims 1-64 to issuance. The Examiner is invited to call the undersigned attorney, if a telephone call could help resolve any remaining items.

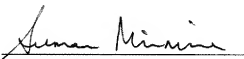
Pursuant to 37 CFR § 1.136(a)(3), the Commissioner is hereby authorized to charge all required fees, including fees under 37 CFR § 1.17 and all required extension of time fees, or credit any overpayment, to Deposit Account No. 50-1283.

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Respectfully submitted,

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